

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

*In the Matter of Search Warrants Executed on
April 9, 2018*

MICHAEL D. COHEN,

Plaintiff,

- against -

UNITED STATES OF AMERICA,

Defendant.

18-MJ-3161 (KMW)

**FINAL SUMMARY REPORT AND RECOMMENDATIONS
OF THE SPECIAL MASTER**

BARBARA S. JONES, Special Master:

By Order of Appointment, dated April 27, 2018 [Dkt. No. 30] (the “Order”), the Court appointed the Hon. Barbara S. Jones (Ret.) as Special Master to render decisions regarding “privilege issues related to materials seized in the execution of certain search warrants executed on April 9, 2018 (the ‘Seized Materials’).” *See* Order at 1. This final report is submitted to provide the Court a summary of the Special Master’s recommendations since the Court’s Order, dated June 22, 2018, [Dkt. No. 84], for items containing Privileged, Partially Privileged, or Highly Personal information.

Of the items designated privileged and/or highly personal by the Plaintiff and/or Intervenor following the Special Master’s Amended Report and Recommendation, dated June 15, 2018 [Dkt. No. 81], the Special Master agreed with the Plaintiff and/or Intervenor and found

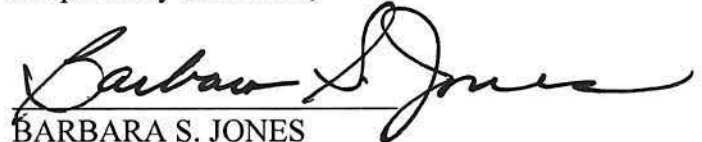
that 7,146 are Privileged, 285 are Highly Personal, and 8 are Partially Privileged. In some instances, the Special Master found that an item was both Privileged and Highly Personal. A list of the specific control numbers for each of these categories will be provided to the Court as Exhibit A.

All other items that were found “not privileged,” “not highly personal” and/or not designated by the Plaintiff or Intervenor have been released to the Government. 57 items released to the Government were found by the Special Master to be “not privileged,” but objected to by the Plaintiff. Plaintiff, however, did not raise his objections for these items to the Court as required by the Court’s Order, dated May 31, 2018, [Dkt. No. 69]. A list of the specific control numbers for these items will be provided to the Court as Exhibit B.

As of today’s filing, the Government has not provided the Special Master with the contents of one encrypted Blackberry device referenced during the May 30, 2018 hearing [Dkt. No. 73], and in the Government’s letter, dated June 15, 2018, [Dkt. No. 80]. The Special Master recommends that if the encrypted Blackberry device becomes available for review, any items recovered from the device should be reviewed for privilege by the Government’s filter team. Any objections to this recommendation must be submitted by the Parties to the Special Master no later than August 17, 2018.

Dated: New York, New York
August 16, 2018

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara S. Jones", written over a horizontal line.

BARBARA S. JONES
Special Master